



Matt Blunt, Governor • Doyle Childers, Director

## DEPARTMENT OF NATURAL RESOURCES

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MAY 11 2005

Mr. John A. DeLashmit, P.E.  
U.S. Environmental Protection Agency  
Region VII  
901 North Fifth Street  
Kansas City, KS 66101

RE: Permit for Stockton Wastewater Treatment Plant in Lieu of Total Maximum Daily Load  
for Stockton Branch (WBID 1361)

Dear Mr. DeLashmit:

Stockton Branch near the City of Stockton in Cedar County, Missouri, is on the 2002 303(d) list for Volatile Suspended Solids (VSS). The source of these impairments is listed as the Stockton Wastewater Treatment Plant (WWTP) lagoon, Permit Number MO-0055280. The Missouri Department of Natural Resources (the department) has opted to correct these impairments through permit limits in lieu of a Total Maximum Daily Load (TMDL).

The outfall for Stockton WWTP is in the headwaters of Stockton Branch, near the upstream end of the classified portion. There are no other treatment plants upstream and the land use is largely sparse rural development. The creek upstream of the WWTP effluent appears to be in good condition. Additionally, the upstream VSS in 2003 (as analyzed in the lab) was non-detectable. Therefore, the WWTP is believed to be the sole cause of the VSS impairment. The listing for the impaired reach (first listed in 1998) was based on visual inspections of Stockton Branch during summer low flow conditions in 1988, 1989 and 1993. These inspections reported excessive suspended algae, excessive deposition of solids and reduced diversity of aquatic invertebrates downstream from the City of Stockton's five-cell lagoon system. The city upgraded their wastewater treatment program in 2002. A recent assessment (2002) of Stockton Branch showed improved water quality conditions.

The city's permit, with interim and new limits, was reissued March 10, 2005. The VSS standard (as a narrative of no noticeable downstream objectionable deposits) will be achieved by limiting the effluent to 41/21 mg/L Total Suspended Solids (TSS) daily maximum/monthly average. These limits, which should ensure that stream water quality standards (WQS) would be met, go into effect June 8, 2008. The previous permit limits and the interim limits are 80/60 mg/L for TSS, weekly/monthly average. There is a detailed compliance schedule included in the permit.



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Mr. John A. DeLashmit, P.E.

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Enclosed please find the Missouri State Operating Permit for the Stockton WWTP. When the final limits go into effect, and the WWTP meets them, the WQS should be achieved in Stockton Branch. The department has scheduled special VSS studies for 2005 and 2006. Also, ambient stream monitoring has been scheduled for 2009 to determine if the new permit limits have eliminated the impairment and will consist of the following: standard field parameters plus Dissolved Oxygen, Nitrogen, Phosphorus and Carbonaceous Biochemical Oxygen Demand (CBOD). A reopener clause is included in the permit to allow for stricter limits if future monitoring shows WQS violations.

With this letter, the department submits the Stockton WWTP permit to the U.S. EPA for concurrence that the permit will serve in lieu of a TMDL. We appreciate EPA taking prompt action on this. If you have any questions, please contact Ms. Ann Crawford of my staff at (573) 751-5827 or by mail at the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102.

Sincerely,

WATER PROTECTION PROGRAM



Edward Galbraith  
Director

EG:apl

Enclosures

c: Mr. William Bryan, Attorney General's Office



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

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June 16, 2005

WATER PROTECTION PROGRAM

Mr. Edward Galbraith, Director  
Water Pollution Control Program  
Water Protection and Soil Conservation Division  
Missouri Department of Natural Resources  
P.O. Box 176  
Jefferson City, Missouri 65102

Dear Mr. Galbraith:

RE: Permit Limits in Lieu of a TMDL for Stockton Branch

This letter responds to the submission from the Missouri Department of Natural Resources (MDNR), dated May 11, 2005, regarding Stockton Branch, which was listed as impaired on Missouri's 1998 §303(d) list. In this submission, MDNR proposed to correct the impairment with National Pollutant Discharge Elimination System (NPDES) permit limits in lieu of a Total Maximum Daily Load (TMDL). The following water body segment was proposed to be corrected through permit limits:

Water Body	WBID	Impairment	Source	Permit #	Year added to list
Stockton Branch	1361	Volatile Suspended Solids (VSS)	Stockton Wastewater Treatment Plant (WWTP)	MO-0055280	1998

Waters require TMDLs when certain pollution control requirements are not stringent enough to implement water quality standards for such waters. To exempt an impaired water from the TMDL process, the pollution control requirements cited in the regulation under 130.7(b)(i), (ii), and (iii) must be established and enforced by federal, state, or local laws or regulations, and be stringent enough that, when applied, the receiving water will meet water quality standards. Furthermore, it may be concluded that where federal regulations at 40 CFR 130.7(b)(ii) provide that "[m]ore stringent effluent limitations (including prohibitions) required by either state or local authority preserved by section 510 of the Act, or federal authority (law, regulation, or treaty)" are stringent enough to implement water quality standards, a TMDL is not required.





In regard to Stockton Branch, the Environmental Protection Agency (EPA) has completed its review of this submission, and other previously submitted information supporting this permit in lieu of a TMDL, and concurs that a TMDL is not required for this impaired water body because the impairment is being addressed through more stringent NPDES permit limits as per 40 CFR 130.7(b)(ii).

The Stockton WWTP has been identified as the sole source for the VSS as a result of surface water monitoring directly above and below the WWTP. The NPDES permit issued on March 10, 2005 for the Stockton WWTP includes a compliance schedule to commence by June 1, 2005; final limits which will achieve water quality standards for VSS as identified in Attachment A will be imposed through a re-issued permit, with the conclusion of the compliance schedule, June 1, 2008.

If you have any questions or concerns in regards to this concurrence, please do not hesitate to contact Jack Generaux, TMDL Team Leader, at 913-551-7690, or Ann Lavaty, TMDL Team, at 913-551-7370.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Leo J. Alderman', with a long horizontal flourish extending to the right.

Leo J. Alderman  
Director

Water, Wetlands, and Pesticides Division

cc: Ann Crawford, TMDL Chief, Missouri Department of Natural Resources,  
Jefferson City, MO  
Scott B. Totten, Director, WPSCD, Missouri Department of Natural Resources,  
Jefferson City, MO